

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon request to the Barton County Clerk's Office, 1400 Main - Room 202, Great Bend, Kansas 67530.  
Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)  
Requests to be made pursuant to the Kansas Open Records Act and County Policy. Estimated cost of disk - Five Dollars (\$5.00).

June 12, 2017

The Board of Barton County Commissioners convened this 12th day of June 2017, at the Barton County Courthouse.

*Members present:*

Kenny Schremmer, Commissioner, 1st District (Chairman Pro-Tem)  
Homer Kruckenberg, Commissioner, 2nd District  
Don Davis, Commissioner, 3rd District  
Alicia Straub, Commissioner, 4th District  
Jennifer Schartz, Commissioner, 5th District, Chairman  
Donna Zimmerman, County Clerk  
Carey Hipp, County Counselor

## I. OPENING BUSINESS:

Commissioner Schartz called the meeting to order at 9:00 A.M.

Commissioner Schremmer moved to approve the agenda.  
Commissioner Davis seconded the motion.  
All voted aye. Motion passed.

Commissioner Schremmer moved to approve the minutes of the June 5, 2017 Regular Meeting.  
Commissioner Davis seconded the motion.  
All voted aye. Motion passed.

## APPROVAL OF APPROPRIATIONS:

-An Accounts Payable Register will be submitted to the Commission for the period of May 30, 2017, and ending June 5, 2017.

Commissioner Schremmer moved to approve appropriations for the period of May 30, 2017, to June 5, 2017, and authorize the Chairman to sign on behalf of the Commission..  
Commissioner Davis seconded the motion.  
All voted aye. Motion passed.

## III. OLD BUSINESS:

There was no old business.

## IV. NEW BUSINESS:

### A. COUNTY CLERK'S OFFICE: Request for Approval - Added / Abated / Escaped / Refunded Taxes:

-Donna Zimmerman, County Clerk, will present a listing of Added / Abated / Escaped / Refunded Taxes. Orders for these actions are kept on file in the County Clerk's Office. These are used to correct assessments and are requested by the County Appraiser's Office or the County Clerk's Office.

Donna Zimmerman, County Clerk, presented the following tax roll adjustments:

<b>BATCH #14 (2 Reports)</b>				
<b>Property Types</b>	<b>Values</b>	<b>Escaped Taxes</b>	<b>Added / Abated</b>	<b>Refunds</b>
Gas				
Oil				
Personal Property				
Real Estate	19,728	\$2,807.92	\$ 684.40	
16/20 M Trucks				

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State Assessed Utilities	-23,676		-\$3,573.90	\$3,573.90
Special Assessments				
Grand Totals	- 3,948	\$2,807.92	-\$2,889.50	\$3,573.90
Total Taxes	-\$81.58			
Total Records Selected	3			

Commissioner Straub moved to approve of the Listing of Added / Abated / Escaped / Refunded Taxes as reviewed by the County Appraiser and presented by the County Clerk and direct the Chairman to sign on behalf of the Commission.

Commissioner Schremmer seconded the motion.  
 All voted aye. Motion passed.

## **B. EMPLOYEE RECOGNITION AWARD: Roxie Edwards and Chris Saenz, Accounts Payable, County Clerk's Office, Employees of the Quarter:**

-The Employee Relations Committee (ERC) recommends outstanding individuals for the "Employees Recognition Award". At this time, the Commission will be asked to recognize Roxie Edwards, Deputy / Accounts Payable Clerk, and Chris Saenz, Voting Equipment Technician / Motor Vehicle Clerk. Both were nominated by Diana Watson, Commission Assistant, for the excellent customer service they provide while performing meticulous duties. They work regularly with all departments in completing accounts payable duties.

Bj Wooding, ERC, presented the awards and read the nomination by Diana Watson.

Diana Zimmerman, County Clerk, said they work well as a team. It is also good from an audit standpoint having two people involved in those transactions.

Commissioner Straub moved to join the ERC in presenting Ms. Roxie Edwards and Mr. Chris Saenz with the Employee Recognition Award.

Commissioner Davis seconded the motion.  
 All voted aye. Motion passed.

## **C. EMPLOYEE RELATIONS COMMITTEE: Holiday Party Agreement:**

-The ERC recommends that the County Holiday Party be held at The Lone Wolf in Ellinwood. Per the prepared agreement, the County will host the holiday party at The Lone Wolf Restaurant on Friday, December 8, 2017, from 6pm - 10pm. The County will rent the space from 6 pm - 10 pm for the cost of \$100.00, with an additional \$12.50 charge per meal. Monies have been included in the 2017 Budget for this anticipated expense.

Bj Wooding, ERC, said per the agreement, the County will rent the space from 6 pm - 10 pm for a \$100 fee, with an additional \$12.50 charge per meal. All other expenses are included such as the bartender and decorations. Loan Wolf does all the set up and tear down.

Commissioner Straub moved to approve the 2017 Holiday Party Agreement between Barton County and The Lone Wolf Restaurant, Ellinwood, Kansas.

Commissioner Davis seconded the motion.  
 All voted aye. Motion passed.

## **D. RESOLUTION 2017-11: A Resolution to Provide for the Prorated Abatement or Credit of Tax for Homesteads Destroyed or Substantially Destroyed by a Natural Disaster:**

-Under the proposed Resolution, homestead owners would have the opportunity to apply for a tax abatement or credit, dependent upon the date of an incident, wherein the homestead was destroyed or

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substantially destroyed by a natural disaster. The County Appraiser's Office has developed an application and a determination form for properties that would be considered under this policy. Generally, recommendations would be made for abatements or credits to be prorated based on the date of the disaster.

Barb Esfeld, County Appraiser, said, in 2013, the legislature initiated discussions about homes that are more than 50% destroyed by fire, tornado, etc. Esfeld explained that following a natural disaster, the County Commissioners may abate taxes for homesteads that received damage of 50% or more of the market value before the damage occurred. The legislative change was effective for 2014.

Commissioner Schartz said there have been discussions about the impact to the City of Pawnee Rock and Buffalo Township from the storms.

Commissioner Schremmer moved to adopt Resolution 2017-11, A Resolution to Provide for the Prorated Abatement or Credit of Tax for Homesteads Destroyed or Substantially Destroyed by a Natural Disaster. Commissioner Davis seconded the motion.  
All voted aye. Motion passed.

## **E. APPRAISER'S OFFICE: Possible Tax Relief for County Citizens Involved in the May, 2017, Tornado:**

-Should the proposed Resolution be adopted, it is suggested that the County send a letter to potential applicants. The letter explains why the citizens may be eligible for prorated tax abatements, the qualifications for eligibility and the Real Property Relief Application. The Appraiser's Office has also identified 13 properties that may be eligible for relief.

Barb Esfeld, County Appraiser, said they will send the affected taxpayers a letter from the commission with an application for relief. Once the application is received and reviewed it will be presented to the commission for final approval. Esfeld said her office will get information to Pawnee Rock City and the media.

Commissioner Straub moved to direct the Appraiser's Office to remit the Real Property Relief Letter to potential applicants as have been identified as being involved in the May, 2017, tornado. Direct the Commission Chair to sign on behalf of the Commissioners.  
Commissioner Davis seconded the motion.  
All voted aye. Motion passed.

## **F. INFORMATION TECHNOLOGY: License Renewal:**

-John Debes, Information Technology Director, requests authorization to renew the County's licensing for software users. The needed software is provided by Malwarebytes.

John Debes, Information Technology Director, said this was a renewal of the software we've used for about a year and noted this software has been rated in the top 10.

Commissioner Schremmer moved to renew the software contract with Malwarebytes with a total cost of \$2,886.25. Cost to be paid from the Courthouse General Account of the General Fund, Subscriptions Lines, 001-18-5460.  
Commissioner Straub seconded the motion.  
All voted aye. Motion passed.

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## **G. ROAD AND BRIDGE / MEMORIAL PARKS: Operations:**

-Dale Phillips, Road and Bridge / Memorial Parks Director, will provide an update on operations.

Dale Phillips said he had two things to discuss. He provided the following update:

- Road & Bridge staff overlaid 1 full mile of asphalt in 1 day in order to keep the road open.
- Last week, there were 6 trouble calls due to water, washed out culverts, etc. from all over the County.
- In 2017, plans are to overlay 35 miles of asphalt. There are 100-110 miles to be resealed.
- Memorial Parks – 2017 has been busy with burials and markings.
- Memorial Parks fencing job has been started. Anticipates it will be completed by Veteran's Day.

Phillips then announced his retirement effective July 1, 2017. Phillips said, four years ago, he had a life changing experience. After 44 years of employment, June 30<sup>th</sup> will be his last day. Phillips said he will be available to train a new director and hopes an existing employee applies for the position. Phillips said he also hopes this is not the end of his Barton County employment and would return to another capacity should the opportunity present itself. Phillips said he hopes to rejoin the workforce in the future.

Commissioner Schartz said she has known this day would come, but said it doesn't make it any easier. These are big shoes to fill.

Commissioner Schremmer said his district covers most of the rural area of the County and noted he doesn't remember a time where he called Dale and he wasn't ready to help. Schremmer recalled when he called Dale one evening at 10pm to ask for road closed signage. Phillips immediately put together a two man crew and took care of the situation.

Information Only. No Action Required.

## **V. ENDING BUSINESS:**

1. Announcements
2. Appointments

## **VI. OTHER BUSINESS:**

- Steve Webster, KVGB: What changed with Phil Hathcock's duties.
- Comm Schartz: Commissioners had intended to step up in the absence of an Administrator, but needed a course correction to have one key person in place. Also added Donna Zimmerman as Phil's backup and to have a presence in the courthouse. Hathcock now has office space in the courthouse as well as the landfill.
- Comm Schremmer: Commission can't do anything on their own. They can only act as a group in open session. Hathcock has really turned the landfill around and has gathered together a good group of employees and is a very confidential person.
- Comm Kruckenberg: Hathcock is ably assisted by Diana Watson.
- Comm Schremmer: Watson has been here for many years. Hathcock can go to her with any question. They are not going to use an administrator if possible.
- Comm Straub: They are saving the County \$100,000 a year by not having an administrator. Giving department heads more control over their departments with a little more responsibility. Commissioners will continue to meet with Department Heads at bi-weekly meetings.
- Steve Webster: Will someone at the landfill be promoted.
- Phil Hathcock: There has been a supervisor for some time.
- Shelly Schneider, Heath Dept: Barton County has their first confirmed case of West Nile. Reminded people to dump standing water, use deet insect sprays. Initial symptoms are headache, dizziness, nausea, light sensitivity, vomiting and fatigue. KDHE does most of the testing.

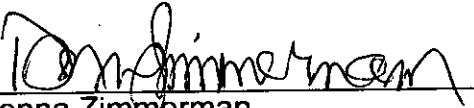
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## VII. ADJOURN:

Commissioner Straub made a motion to adjourn at 9:43 A.M.  
Commissioner Davis seconded the motion.  
All voted aye. Motion passed.

ATTEST:

  
Donna Zimmerman  
Barton County Clerk

  
Jennifer Schartz, Chairman

**RESOLUTION 2017-11**

**A RESOLUTION TO PROVIDE FOR THE PRORATED ABATEMENT OR CREDIT OF TAX FOR HOMESTEADS DESTROYED OR SUBSTANTIALLY DESTROYED BY A NATURAL DISASTER**

**WHEREAS**, the local government must be accountable to its citizens; and

**WHEREAS**, one way to be accountable is to actively seek ways to assist citizens in times of disaster; and

**WHEREAS**, abating or crediting taxes for homesteads destroyed or substantially destroyed by a natural disaster would provide some relief for property owners.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Barton County, Kansas, that pursuant to KSA 79-1613, and amendments thereto, that:

**RESOLVED**, as used in this Resolution:

- (1) "Destroyed or substantially destroyed" means damage of any origin sustained by a homestead as the direct result of: (A) An earthquake, flood, tornado, fire or storm; or (B) an event or occurrence which the governor of the state of Kansas has declared a disaster, whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.
- (2) "Homestead" means the dwelling, or any part thereof, whether owned or rented, which is occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.
- (3) "Public or private buyout" means any buyout from a local, state or federal governmental entity or any non-governmental entity, including, but not limited to, an individual, foundation, trust, association, corporation, limited liability company or partnership.

**FURTHER**, the owner of any homestead listed and assessed for property taxation purposes which was destroyed or substantially destroyed due to an occurrence as defined herein may make application to the Board of Barton County Commissioners for the abatement of property taxes levied upon such homestead or for a credit against property taxes payable by such owner, as permitted by this Resolution.

- (1) If such homestead has been so destroyed or substantially destroyed after January 1 of a particular year but prior to August 15 of such year, the owner of such homestead may make application to Barton County for the abatement of property taxes levied upon such homestead, or if such property taxes have been paid or partially paid, may make application for the granting of a credit against property taxes payable by such owner during any or all of the next succeeding three taxable years or
- (2) If such homestead has been so destroyed or substantially destroyed on or after August 15 of a particular year but prior to January 1 of the next succeeding year, the owner of such homestead may make application to Barton County for the granting of a credit against property taxes payable by such owner during any or all of the next succeeding three taxable years.

**FURTHER**, an application for relief as permitted herein may be made for abatement of property taxes assessed but not yet paid, or for a grant of a credit for assessed property taxes paid or for both, as the case may be, and may be made on or before December 20 of the year next succeeding the year for which such taxes have been assessed.

**FURTHER**, upon receipt of any such application, subject to budgetary restraints of the County or taxing subdivision arising from the event or occurrence declared a disaster by the governor, Barton County Commissioners shall inquire into and make findings regarding, among other things, whether the property is a homestead as defined herein, whether the homestead was destroyed or substantially destroyed as defined herein and the assessed valuation thereof. If it is determined that an owner of such homestead is entitled to an abatement of the property taxes levied against such homestead or is entitled to a credit against property taxes payable by such owner in any or all of the next succeeding three years, the Commissioners may issue an order providing for an abatement or credit which shall be prorated as of the date of the occurrence.

**FURTHER**, the County Clerk and the County Treasurer shall in each case of abatement or credit correct their records in accordance therewith and the County Clerk shall notify the governing body of any taxing district affected thereby.

**FURTHER**, that the Barton County Appraiser has developed the Real Property Relief Application and the Barton County Commissioners' Disaster Relieve Determination form included herein as Attachment I and Attachment II respectively.

**FURTHER**, that the County Appraiser shall review all applications to determine eligibility. The applications will then be submitted to the Board of Barton County Commissioners with a recommendation from the County Appraiser regarding eligibility and the proration of abatements or credits.

**FURTHER**, that this Resolution shall take effect upon publication in the official County newspaper.

Adopted this 12<sup>TH</sup> day of June, 2017.

BOARD OF COUNTY COMMISSIONERS

  
Jennifer Schartz, Chair

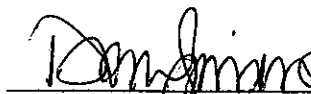
  
Don Davis, Commissioner

  
Heide Kruckenberg, Commissioner

  
Kenny Schremmer, Commissioner

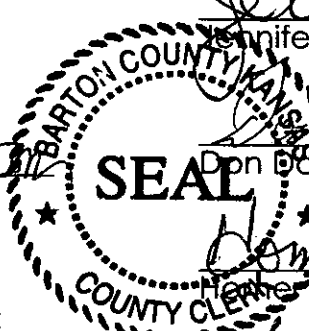
  
Alicia Straub, Commissioner

ATTEST:

  
Donna Zimmerman  
County Clerk

APPROVED AS TO FORM:

  
Carey Hipp,  
County Counselor



# ATTACHMENT I

## REAL PROPERTY RELIEF APPLICATION

TAX YEAR \_\_\_\_\_

### RETURN TO THE BARTON COUNTY COMMISSIONERS

(K.S.A. 2016 Supp. 70-1613)

The following property owner(s) are making application to the county commissioners for property tax abatement, all or partial, or a credit against property taxes payable by the applicant over the next three (3) years. The county commissioners may issue an order granting relief, if any, subject to budgetary restraints of the county or taxing subdivision arising from the destructive event.

1400 MAIN, GREAT BEND KS 67530  
820-703-1800

#### Information on Property

Owner of Record (please print): \_\_\_\_\_

Taxpayer - if different than owner (please print): \_\_\_\_\_

Date Damage Occurred (month/day/year): \_\_\_\_\_

Location of Property Destroyed (Property address / parcel ID / GREF number): \_\_\_\_\_

Mailing Address (please print): \_\_\_\_\_

Daytime telephone number: \_\_\_\_\_

Additional telephone number: \_\_\_\_\_

#### Information on Loss

##### Select Homestead Type:

- Single Family
- Multi-family
- Manufactured (Mobile) Home
- Multi-Purpose Residential

##### Loss Type:

Was this event declared a disaster by the governor of Kansas?     YES     NO

If NO above, select the cause of damage (must be one of the following):

- Earthquake
- Fire
- Flood
- Storm
- Tornado

##### Include Following with Application:

1. Written estimate of repairs or rebuilding costs by a licensed contractor or construction engineer.
2. Deed of ownership (available at Register of Deeds Office), a copy of contract if buying on contract or title of manufactured home
3. Photos documenting the damage or destruction.

#### Sign and Date:

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_



ATTACHMENT II

**Barton County Commissioners' Disaster Relief  
Determination:**

Property address/parcel ID/ QREF number: \_\_\_\_\_

Applicant (Property owner/taxpayer—nontransferable): \_\_\_\_\_

**Barton County Commissioners' summary of inquiry and findings:**

*Check Yes or No for each question.*

Was the structure destroyed or substantially destroyed a homestead?     YES     NO  
*(Homestead means dwelling, owned or rented, which is occupied as a residence, and the home site land.)*

Was the homestead destroyed or substantially destroyed by earthquake, fire, flood, storm or  
tornado, and/or was the destructive event declared a disaster by the governor of Kansas?  
 YES     NO

Was the homestead destroyed or substantially destroyed?     YES     NO  
*(Destroyed or substantially destroyed means the cost of restoring the homestead to it's before damaged  
condition would equal or exceed 50% of the market value of the structure before the damage occurred.)*

*(If any above are marked "NO", no tax abatement or credit can be granted.)*

**Based on the date of this event, check the appropriate tax treatment:**

- Abatement:** This event occurred after January 1 but prior to August 15.
- Credit:** This event occurred on or after August 15 but prior to January 1 of the next year.  
*The credit can be applied to the property tax of the owner over the next three years.)*

**Documentation provided:**

- Written estimate of repairs or rebuilding costs by a licensed contractor
- Deed of ownership (available at Register of Deeds Office), a copy of contract if buying on contract or title of manufactured home
- Photos
- Other: \_\_\_\_\_

**IT IS THEREFORE ORDERED**, based on the above information, the Board of  
County Commissioners of Barton County grant:

- No abatement or credit will be granted.
- Abatement / credit of \_\_\_% of the property tax for tax year \_\_\_\_\_ for the property described above.

**IT IS FURTHER ORDERED** the county clerk and the county treasurer shall correct their records in accordance with the county commissioners' order.

**IT IS SO ORDERED**, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_, County Commission Chairman